

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: CHRISTINA B. GRAY
D/B/A HICKORY FLAT QUICK STOP**

CHAPTER 13

DEBTOR

CASE NO. 16-10883 JDW

MOTION TO AVOID JUDICIAL LIEN

COMES NOW, Debtor, by and through her attorney of record, requests this Honorable Court, pursuant to §522 (f) of the United States Bankruptcy Code, to issue an order voiding the lien/judgment of the Creditor, **RREF RB SBL II-MS, LLC**, and in support thereof would show unto the Court as follows, to wit:

1. Debtor commenced this case on March 10, 2016 by filing a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code but converted her case to a Chapter 13 of Title 11 of the United States Code on April 19, 2016.

2. Pursuant to 28 U.S.C. Section 1334, the Court has jurisdiction of the Motion filed pursuant to 11 U.S.C. Section 522(f) to avoid and cancel a judicial lien/judgment held by **RREF RB SBL II-MS, LLC, c/o April Freeman, Esq., Jones Walker LLP, 1360 Peachtree Street NE, Suite 1030, Atlanta, GA 30309**.

3. On August 26, 2015, the Creditor recorded a judicial lien against the Debtor. Said judicial lien is entered of record as follows:

Location of Judgment Rolls: Circuit Court of Benton County, Mississippi
Case Number: B2015-016
Date of Rendition: August 21, 2015
Amount: \$42,063.25

4. All property of Debtor has been claimed as fully exempt in the Debtor's bankruptcy case. The existence of the creditor's lien on Debtor property impairs exemptions to which the Debtor would be entitled under 11 U.S.C. Section 522(b).

WHEREFORE, PREMISES CONSIDERED, Debtor prays for an order against **RREF RB SBL II-MS, LLC** avoiding and canceling the judicial lien of the above mentioned property and for such additional relief as the Court may deem just and proper.

RESPECTFULLY SUBMITTED,

/s/Robert H. Lomenick
KAREN B. SCHNELLER, MSB 6558
ROBERT H. LOMENICK, JR., MSB 104186
SCHNELLER & LOMENICK, P.A.
126 NORTH SPRING STREET
POST OFFICE BOX 417
HOLLY SPRINGS, MS 38635
662-252-3224/karen.schneller@gmail.com
rlomenick@gmail.com

CERTIFICATE OF SERVICE

I, Karen B. Schneller/Robert H. Lomenick, Attorneys for Debtor, do hereby certify that I have this day mailed, via electronic delivery or postage prepaid, a true and correct copy of the above and foregoing Motion To Avoid Judicial Lien to:

**RREF RB SBL II-MS, LLC
April Freeman, Esq.
Jones Walker LLP
1360 Peachtree Street NE, Suite 1030
Atlanta, GA 30309.**

**Ms. Locke D. Barkley
Chapter 13 Trustee
6360 I-55 North, Suite 140
Jackson, MS 39211**

**U. S. Trustee
501 East Court Street, Suite 6-430
Jackson, Mississippi 39201**

This the 6th day of May, 2016

/s/Robert H. Lomenick
KAREN B. SCHNELLER
ROBERT H. LOMENICK